

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

JAMES RAY ICENOGLE

PLAINTIFF

v.

CIVIL NO. 06-5216

MICHAEL J. ASTRUE,¹ Commissioner
Social Security Administration

DEFENDANT

ORDER

On this 12th day of February, 2008, the court has before it for consideration plaintiff's amended request for attorney's fees and costs pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. For reasons set forth in the Report and Recommendation filed by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas, on January 23, 2008, the court finds that the Magistrate's recommendations should be adopted *in toto* and hereby awards plaintiff's attorney fees in the amount of \$1,069.14, representing 6.63 attorney hours, at the hourly rate of \$152.00, and 1.023 paralegal hours, at the hourly rate of \$60.00. This amount shall be paid in addition to, and not out of, any past-due benefits plaintiff may be awarded in the future.

IT IS SO ORDERED.

/s/Jimm Larry Hendren
HON. JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE

¹Michael J. Astrue became the Social Security Commissioner on February 12, 2007. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Michael J. Astrue has been substituted for acting Commissioner Jo Anne B. Barnhart as the defendant in this suit.